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S.B. CIVIL WRIT PETITION NO.6967/2007.
Smt. Kamla Yadav Vs. State of Rajasthan & Ors.

Date of Order :: 26th October 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Vinay Jain, for the petitioner.

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BY THE COURT:

The petitioner said to be working on the post of Deputy Director with the Education Department having been transferred from Udaipur to Bikaner seeks to question her transfer order dated 31.07.2007 (Annex.4) by way of this writ petition on the grounds that she is on the verge of retirement with only 10 months of service left; that she had been put on the present place of posting only about a year back; that she is widowed lady; and that she did make representation that has not been considered and decided.

The subject matter of this writ petition, i.e., the transfer order, is indisputably an appealable order and the petitioner has the alternative statutory remedy of filing appeal before the Rajasthan Civil Services Appellate Tribunal. For the grounds sought to be urged, there appears no reason why the petitioner cannot take resort to the said alternative remedy and make the submissions before the Tribunal concerned. There

appears no such reason or circumstances wherefor the petitioner be permitted to by-pass the alternative remedy.

For being not inclined to entertain the matter in extraordinary writ jurisdiction because of availability of alternative remedy, this Court would not make any comment on the merits of the grounds sought to be urged by the petitioner; leaving the petitioner to take resort to the appropriate remedy in accordance with law.

Exercise of writ jurisdiction in this matter is refused; and the petition is rejected.

(DINESH MAHESHWARI), J.

Mohan/